

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HUGUETTE NICOLE YOUNG,

Plaintiff,

vs.

JEAN STOTHERT, in her official
capacity as mayor of Omaha, Nebraska,

Defendant.

8:20CV460

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's application to proceed in forma pauperis (Filing 2).

The court's local rules specify that "[a] financial affidavit that substantially complies with 28 U.S.C. § 1915(a) and discloses the applicant's income, assets, expenses, and liabilities must accompany an application to proceed in forma pauperis." NECivR 3.3(a). Because Plaintiff has not provided a financial affidavit that meets this requirement, her application will be denied.

However, the denial will be without prejudice to refiling. Plaintiff has the choice of either paying the \$400.00 filing and administrative fees to the clerk's office or filing a properly completed application to proceed in forma pauperis, using Form AO 240, "Application to Proceed in District Court Without Prepayment of Fees or Costs (Short Form)." Failure to take either action within 30 days will result in the court dismissing this case without further notice to Plaintiff.

IT IS THEREFORE ORDERED that:

1. Plaintiff's application to proceed in forma pauperis (Filing 2) is denied without prejudice.

2. Plaintiff is directed within 30 days to either pay the \$400.00 filing and administrative fees to the clerk's office or else file a properly completed application to proceed in forma pauperis, using the Form AO 240, "Application to Proceed in District Court Without Prepayment of Fees or Costs (Short Form)," which is being sent to her with this order.¹ Failure to take either action within 30 days will result in dismissal of this matter without further notice.

3. The clerk of the court is directed to send Plaintiff a Form AO 240, "Application to Proceed in District Court Without Prepayment of Fees or Costs (Short Form)."

4. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: December 7, 2020: Check for MIFP or payment.

Dated this 5th day of November, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge

¹ Alternatively, Plaintiff may use the fillable Form AO 240 which is available on the court's website at <https://www.ned.uscourts.gov/forms>.